



RESOLUTION

REPEALING RESOLUTION 20-265, WHICH INITIATED A PROPOSAL TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO DETACHED DWELLINGS.

WHEREAS, Ordinance 19-3, effective on May 1, 2019, and codified as Section 21-3.70-1(c)(3) of the Revised Ordinances of Honolulu 1990 ("ROH"), addressed the problem of the illegal use of large residential structures in the City's residential districts; and

WHEREAS, under ROH Section 21-3.70-1(c)(3), excluding cluster housing and planned development housing developed pursuant to ROH Section 21-8.50, certain development standards apply to residential zoning lots on which a one-family or two-family detached dwelling or duplex is constructed; and

WHEREAS, the development standards include limiting the maximum density to a floor area ratio ("FAR") of 0.7; limiting the number of wet bars, laundry rooms, and bathrooms allowed; regulating the conversion or alteration of the structure; and limiting the impervious surface area of a zoning lot to 75 percent of the total zoning lot area; and

WHEREAS, for detached dwellings or duplexes that exceed an FAR of 0.6, additional development standards apply, including requiring eight-foot side and rear yards; requiring that dwelling units be owner-occupied; and providing for the issuance of a temporary certificate of occupancy (effective for one year), during which period the DPP may conduct additional inspections; and

WHEREAS, on November 5, 2020, the Council adopted Resolution 20-265, which directed the Director of Planning and Permitting to process a proposed amendment to the Land Use Ordinance ("LUO"), which would provide that for detached dwellings or duplexes that exceed an FAR of 0.6, eight-foot side and rear yards are required in the R-3.5 Residential District; and 11-foot side and rear yards are required in the R-5, R-7.5, R-10, and R-20 Residential Districts; and

WHEREAS, the requirements for processing a Council-initiated LUO amendment proposal by the Director of Planning and Permitting and the Planning Commission are set forth in Article VI, Chapter 15 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), as amended (the "Charter"), and ROH Chapter 2, Article 24, Part A; and



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WHEREAS, Ordinance 20-43, effective on December 23, 2020, amended ROH Section 21-3.70-1(c)(3) to, among other things, amend the side and rear yard requirements as proposed in Resolution 20-265; and

WHEREAS, the Council wishes to repeal Resolution 20-265 because the LUO amendment proposed therein has been incorporated in Ordinance 20-43; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that Resolution 20-265 is hereby repealed in its entirety; and

BE IT FURTHER RESOLVED that the Director of Planning and Permitting and the Planning Commission are directed to cease processing the LUO amendment initiated by Resolution 20-265; and



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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, the Director of Planning and Permitting, and the Chair of the Planning Commission.

INTRODUCED BY:

Tony Waters

DATE OF INTRODUCTION:

JAN - 6 2021

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 21-17

Introduced: 01/06/21 By: TOMMY WATERS

Committee: ZONING AND PLANNING

Title: RESOLUTION REPEALING RESOLUTION 20-265, WHICH INITIATED A PROPOSAL TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO DETACHED DWELLINGS.

Voting Legend: * = Aye w/Reservations

01/14/21	ZONING AND PLANNING	REPORTED OUT FOR ADOPTION. CR-18
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4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY.

01/27/21	COUNCIL	COMMITTEE REPORT AND RESOLUTION WERE ADOPTED.
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9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER